

UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF MICHIGAN

In the Matter of:

Maria Betancourt
SS# xxx-xx-2874

Debtor./

Case No. : 10-07072 SWD
Chapter 13
Hon. Scott W. Dales

ORDER DISMISSING CHAPTER 13 CASE

PRESENT: HONORABLE SCOTT W. DALES
United States Bankruptcy Judge

On June 03, 2010, the above-captioned debtor filed a chapter 13 proceeding. At the time the petition was filed, the debtor failed to file schedules, statement of affairs, chapter 13 plan and mailing matrix. On June 05, 2010, the *pro se* debtor was sent a Notice of Filing(s) Due. A letter regarding deficiencies was also mailed to the debtor on June 23, 2010 and the debtor has not complied or responded to said letter.

Schedules and a Statement of Affairs are to be filed with the Petition, or within fourteen (14) days thereafter. FED. R. BANKR. PRO. 1007(c). A chapter 13 plan is to be filed with the Petition or within fourteen (14) days thereafter. FED. R. BANKR. PRO. 3015(b). The court may extend the time for filing the Schedules, Statement of Affairs, and/or Chapter 13 Plan, in its discretion, for cause shown. FED. R. BANKR. PRO. 9006(b). Local Bankruptcy Rule 3015(b) provides a case may be automatically dismissed if the Schedules, Statement of Affairs, and/or Chapter 13 Plan are not timely filed. Also, pursuant to Local Bankruptcy Rule 1007-2, a mailing matrix must be filed simultaneously with the bankruptcy petition. LBR 5005-2 states that if the mailing matrix is not filed with the court within 14 days of service of the Notice to File Matrix, the case may be dismissed by the Court without further notice to the debtor(s) or any interested parties.

The Court finds that the debtor has not timely filed the requisite Schedules, Statement of Affairs, Chapter 13 Plan and Matrix and cause to dismiss this case therefore exists.

NOW, THEREFORE, IT IS HEREBY ORDERED that the above-captioned case be, and hereby is, DISMISSED, on the court's own initiative.

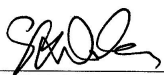
IT IS FURTHER ORDERED that if the debtor objects to this dismissal, the debtor may file a motion to set aside this order pursuant to FED. R. BANKR. PRO. 9023 or 9024 no later than fourteen (14) days after entry of this order. The grounds for any such motion shall be stated with particularity. If a timely and proper motion is filed, the court may schedule a hearing as soon as is practicable, but reserves the ability to grant or deny the motion without a hearing.

IT IS FURTHER ORDERED that the Clerk is directed to serve a copy of this order pursuant to Fed. R. Bankr. P. 9022 and LBR 5005-4 upon Maria Betancourt, Barbara P. Foley, Chapter 13 Trustee, The Office of the United States Trustee, and all parties of interest at their respective post office addresses appearing of record herein.

End of Order

IT IS SO ORDERED.





Scott W. Dales
United States Bankruptcy Judge

Dated: July 06, 2010